IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO: 3:05CV401

AURA LABRÓ KARAGIANNOPOULOS,	)	
	)	
Plaintiff	)	
	)	
vs.	)	**ORDER**
	)	
CITY OF LOWELL,	)	
	)	
Defendant.	)	
	)	

THIS MATTER IS BEFORE THE COURT on the "Motion to Strike and Memo of Law in Support Thereof ..." (Document No. 6), filed November 10, 2005 by the City of Lowell (the "City"). In the Motion, the City asks the Court to strike Exhibits 1, 2, 3, 4 and 6 to the Complaint (Document No. 1), alleging that they are "immaterial, incompetent, impertinent, and constitute hearsay."

Under Rule 12(f) of the Federal Rules of Civil Procedure, the undersigned – in his discretion – "may order stricken from any pleading ... any redundant, immaterial, impertinent, or scandalous matter." Fed. R. Civ. P. 12(f). After careful review, and considering Aura Labró Karagiannopolus' status as a pro se plaintiff and the burden placed upon the Court in such situations, see, e.g., North Carolina v. Howard, 323 F. Supp. 2d 675, 678 (W.D. N.C. 2003) (outlining responsibilities of district court in ruling upon motion to dismiss pro se complaint), the undersigned does not find that the contested exhibits should be stricken as "redundant, immaterial, impertinent, or scandalous." Accordingly, the undersigned will deny the Motion. The Court will, of course, apply the appropriate standard of review in its consideration of those exhibits as they relate to any future dispositive motions. See, e.g., Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986) (in

opposing summary judgment, the non-moving party opposing summary judgment cannot "rest upon ... mere allegation or denials ..., but ... must set forth specific facts showing that there is a genuine issue for trial" (quoting First National Bank of Arizona v. Cities Service Co., 319 U.S. 253, 288-89 (1968)).

IT IS, THEREFORE, ORDERED that the "Motion to Strike and Memo of Law in Support Thereof ..." (Document No. 6) is hereby **DENIED**.

Signed: January 4, 2006

David C. Keesler
United States Magistrate Judge